



UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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08/815,592 03/12/97 MARUTA

M 1422-0297P

IM62/0618

EXAMINER

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YDON, T

ART UNIT	PAPER NUMBER
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1714

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DATE MAILED: 06/18/99

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Art Unit: 1714

The reply brief filed on June 9, 1999 has been entered and considered. The application has been forwarded to the Board of Patent Appeals and Interferences for decision on the appeal with following comments.

Appellants asserts that the instant powder coating and the paint art are completely different arts. Even though there are many different features, such as the method of application, in the instant powder coating and the paint art, however, the basic nature or principle of obtaining the final (or desired) color is the same which is to use a mixture of different colors unless one powder coating or pigment having said final (or desired) color is available. This is the common practice in any art dealing with colors. Also, this is not new points contrary to appellants' assertion since the examiner has stated that the use of different colors in order to obtain other color is a *prima facie* in the Advisory Action mailed on December 8, 1998. The recitation of Sears and Home Depot is the examples for layman.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tae H. Yoon whose telephone number is (703) 308-2389. The examiner can normally be reached on Monday to Thursday from 8:00 to 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vasu Jagannathan, can be reached on (703) 306-2777. The fax phone number for the organization where this application or proceeding is assigned is (703) 305-5408.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0661.

THY/June 16, 1999



TAE YOON
PRIMARY EXAMINER